

1 Antônio M. Lawson (No. 140823)

LAWSON LAW OFFICES

2 160 Franklin Street, Suite 209

Oakland, CA 94607

3 Telephone: (510) 419-0940

4 Facsimile: (510) 419-0948

5 Gregory J. Mayeda (No. 203509)

THE LAW OFFICES OF GREG MAYEDA

6 410 Twelfth Street, Suite 325

Oakland, CA 94607

7 Telephone: (510) 420-1400

8 Facsimile: (510) 291-9694

9 Brad Seligman (No. 83838)

Jocelyn Larkin (No. 110817)

10 THE IMPACT FUND

11 125 University Avenue, Suite 102

Berkeley, CA 94710

12 Telephone: (510) 845-3473

13 Facsimile: (510) 845-3654

William C. McNeill (No. 64392)

Claudia Center (No. 158255)

Jinny Kim (No. 208953)

THE LEGAL AID SOCIETY –
EMPLOYMENT LAW CENTER

600 Harrison Street, Suite 120

San Francisco, CA 94107

Telephone: (415) 864-8848

Facsimile: (415) 864-8199

14 Attorneys for Plaintiffs

(Additional Counsel on Next Page)

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA**

17 WILLIAM COOKSON, JUNE ANDRADE,)

18 SENITA PORCHER, NIYSHA EDWARD,)

19 DAVID BOTELLO, SANTOS RAY REHMKE)

and DAVID AXTON on behalf of themselves)

20 and all others similarly situated,)

21 Plaintiffs,)

22 v.)

23 NEW UNITED MOTOR MANUFACTURING,)

24 INC., TOYOTA MOTOR CORPORATION, and)

25 TOYOTA MOTOR SALES, U.S.A., INC.)

26 Defendants.)

CLASS ACTION

Case No. C10-02931 CRB

**STIPULATION AND [PROPOSED] ORDER
TO STAY FRCP 26(F) CONFERENCE,
INITIAL DISCLOSURES, AND DISCOVERY
PLAN; AND CONTINUE MOTION TO
DISMISS HEARING AND CASE
MANAGEMENT CONFERENCE**

[Hon. Charles R. Breyer]

1 M. KIRBY C. WILCOX (Cal. State Bar No. 78576)
JEFFREY D. WOHL (Cal. State Bar No. 96838)
2 KATHERINE C. HUIBONHOA (Cal. State Bar No. 207648)
3 PAUL, HASTINGS, JANOFSKY & WALKER LLP
55 Second Street, 24th Floor
4 San Francisco, California 94105-3441
Telephone: (415) 856-7000
5 Facsimile: (415) 856-7100
jeffwohl@paulhastings.com
6 kathyhuibonhoa@paulhastings.com

7 Attorneys for Defendant
8 New United Motor Manufacturing, Inc.

9 GEORGE A. STOHNER (Cal. State Bar No. 214508)
10 CLIFFORD D. SETHNESS (Cal. State Bar No. 212975)
MORGAN LEWIS & BOCKIUS LLP
11 300 South Grand Avenue, Twenty-Second Floor
Los Angeles, CA 90071
12 Tele: (213) 612-2500
13 Fax: (213) 612-2501

14 L. JULIUS M. TURMAN (Cal. State Bar No. 226126)
STEVEN K. GANOTIS (Cal. State Bar No. 234252)
15 MORGAN LEWIS & BOCKIUS LLP
One Market Plaza, Spear Street Tower
16 San Francisco, CA 94105
17 Tele: (415) 442-1000
18 Fax: (415) 442-1001

19 Attorneys for Defendants
TOYOTA MOTOR CORPORATION and
20 TOYOTA MOTOR SALES, U.S.A., INC.

1 WHEREAS the parties attended a private mediation session with Justice Panelli on
2 November 2, 2010 and continued in settlement discussions thereafter with Justice Panelli.

3 WHEREAS the parties have agreed to the mediator's proposed settlement and have made
4 significant progress towards resolution of the dispute with only a few minor issues remaining;

5 WHEREAS the parties believe they will have a final settlement within 1-2 days;

6 WHEREAS the Motions to Dismiss and the Case Management Conference are currently set
7 for hearing on March 4, 2011;

8 WHEREAS plaintiffs' oppositions to defendants' motions to dismiss are due February 7,
9 2011;

10 IT IS HEREBY STIPULATED, SUBJECT TO APPROVAL BY THE COURT, THAT:

11 1. The initial conference of the parties as required by Federal Rule of Civil Procedure
12 26(f) and related deadlines, including the discovery plan described in Federal Rule of Civil
13 Procedure 26(f)(3), initial disclosures described in Federal Rule of Civil Procedure 26(a)(1)(A), and
14 joint case management conference statement described in Civil Local Rule 16-9, shall be deferred
15 until an appropriate date following the settlement process, to be determined jointly by the parties,
16 with the Court's approval;

17 2. The hearing and remaining briefing schedule on the Motions to Dismiss shall be
18 modified as follows:

Event	Current Due Date	Proposed Due Date
Opposition	February 7, 2011	February 21, 2011
Reply	February 21, 2011	March 7, 2011
Hearing	March 4, 2011	March 18, 2011

23
24 3. The Initial Case Management Conference shall be continued to the date of the hearing
25 on the Motions to Dismiss, i.e., March 18, 2011.

DATED: February 7, 2011

LAWSON LAW OFFICES
LAW OFFICES OF GREG MAYEDA
THE IMPACT FUND
THE LEGAL AID SOCIETY-EMPLOYMENT LAW
CENTER

BY: /s/Antonio Lawson

ANTONIO M. LAWSON
Attorneys for Plaintiffs

DATED: February 7, 2011

PAUL, HASTINGS, JANOFSKY & WALKER LLP

BY:

KATHERINE C. HUIBONHOA
Attorneys for Defendant
NEW UNITED MOTOR
MANUFACTURING, INC.

DATED: February 7, 2011

MORGAN, LEWIS & BOCKIUS LLP

BY:

L. JULIUS M. TURMAN
Attorneys for Defendants
TOYOTA MOTOR CORPORATION and
TOYOTA MOTOR SALES, U.S.A., INC.

1 DATED: February 7, 2011.

LAWSON LAW OFFICES
LAW OFFICES OF GREG MAYEDA
THE IMPACT FUND
THE LEGAL AID SOCIETY-EMPLOYMENT LAW
CENTER

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6 BY: /s/Antonio Lawson

ANTONIO M. LAWSON
Attorneys for Plaintiffs

7
8 DATED: February 7, 2011

PAUL, HASTINGS, JANOFSKY & WALKER LLP

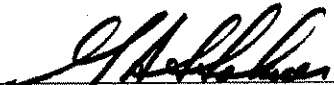
9
10 BY: _____

KATHERINE C. HUIBONHOA
Attorneys for Defendant
NEW UNITED MOTOR
MANUFACTURING, INC.

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12
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14 DATED: February 7, 2011

MORGAN, LEWIS & BOCKIUS LLP

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16 BY: _____


L. JULIUS M. TURMAN
~~Attorneys for Defendants~~
TOYOTA MOTOR CORPORATION and
TOYOTA MOTOR SALES, U.S.A., INC.

ORDER

Pursuant to stipulation, it is so ordered.

Dated: February 9, 2011

Charles R. Breyer, District Court

